

ASSEMBLY, No. 2598

STATE OF NEW JERSEY

219th LEGISLATURE

INTRODUCED FEBRUARY 13, 2020

Sponsored by:
Assemblyman WAYNE P. DEANGELO
District 14 (Mercer and Middlesex)

SYNOPSIS

Limits job creation estimation under previous COAH regulations for warehousing activities.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning the provision of affordable housing and
2 amending P.L.2008, c.46.

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4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

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7 1. Section 36 of P.L.2008, c.46 (C.40:55D-8.5) is amended to
8 read as follows:

9 36. a. The commissioner, in consultation with the council, shall
10 promulgate, in accordance with the provisions of the
11 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
12 seq.), such regulations as are necessary for the prompt and effective
13 implementation of the provisions and purposes of P.L.2008, c.46
14 (C.52:27D-329.1 et al.), including, but not limited to, provisions for
15 the payment of any necessary administrative costs related to the
16 assessment of properties and collection of any development fees by
17 a municipality.

18 b. Notwithstanding the authority granted to the commissioner
19 herein, the council shall adopt and promulgate, in accordance with
20 the provisions of the "Administrative Procedure Act," P.L.1968,
21 c.410 (C.52:14B-1 et seq.), such regulations as are necessary for the
22 effectuation of P.L.2008, c.46 (C.52:27D-329.1 et al.), including
23 but not limited to, regulations necessary for the establishment,
24 implementation, review, monitoring, and enforcement of a
25 municipal affordable housing trust fund and spending plan.

26 c. The commissioner shall modify the rules adopted pursuant to
27 this section to provide that any jobs attributable to nonresidential
28 development for purposes of calculating the fair share prospective
29 need of a municipality shall not exceed .26 jobs per 1,000 square
30 feet whenever the nonresidential development is comprised solely
31 of warehouses or buildings used or to be used solely for
32 warehousing.

33 (cf: P.L.2008, c.46, s.36)

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35 2. This act shall take effect immediately.

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38 STATEMENT

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40 This bill would limit the fair share housing obligation of a
41 municipality which results under the regulations previously adopted
42 by the Council on Affordable Housing from estimated job creation
43 when nonresidential development occurs. The bill would limit the
44 job creation estimate to .26 jobs per 1,000 square feet whenever the
45 nonresidential development is comprised solely of warehouses or
46 buildings used or to be used solely for warehousing.

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.